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17. ABSTRACT (MAX. 250 WORDS) New York State's program of aid for its interstate agricultural workers is presented. New York is one of the major agricultural states. Thousands of seasonal workers are required to supplement individual farmers, their families, and regular employees of fruit and vegetable processing plants. The seasonal worker is a key figure in the State's agricultural economy. Thus the New York State Interdepartmental Committee on Farm and Food Processing Labor was organized. The committee is drawn from seven State departments; their combined resources provide services for seasonal workers in the fields of health, housing, child care, education, working conditions, and safety. Local welfare and health authorities, civic groups, and social service agencies pool their resources for effective work at the local level. They draw on the State government for help and in turn assist the various State agencies in attuning their efforts to local conditions. The Joint Legislative Committee on Migrant Labor gives aid in introducing or up-dating laws affecting the seasonal workers.

Healthful conditions in farm labor camps are insured through inspections of health and housing facilities; introduction of a sanitary code covering housing, fire hazards, bathing and toilet facilities, food handling and food storage facilities, water supply and sewage disposal; immunizations; and health and maternity clinics. The child-care program has centers to care for children from infancy to fourteen years of age while their parents are working in the fields. Local school districts conduct summer schools for the children of seasonal workers during July and August. The State Labor Department handles the job placement of many seasonal workers and is authorized to supervise certain working conditions. Seasonal farm workers whose motor vehicles are registered in another state are not required to obtain New York license plates for the period from June through November provided their home state registration is valid.

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Office of Education

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A HELPING HAND

Seasonal Farm Labor In New York State

"Labor of human beings is not a commodity or article of commerce and shall never be so considered or construed." (New York State Constitution, Art. 1 Sec. 17)
THE CENTER FOR CULTURAL STUDIES
Adams State College of Colorado
Alamosa
00651

STATE OF NEW YORK

Nelson A. Rockefeller, *Governor*

The New York State Interdepartmental Committee on Farm and Food Processing Labor provides a coordinated approach by the administrative agencies of State government to New York's program for farm labor. The Committee includes representatives from the:

Department of Agriculture and Markets
Department of Education
Executive Department, Division of State Police
Department of Health
Department of Labor
Department of Social Welfare
Department of Motor Vehicles
Extension Service, State University College of Agriculture at Cornell, *Advisory Member.*

Daniel M. Dalrymple
Committee Chairman

Horace M. Putnam
Executive Secretary

A HELPING HAND

Seasonal Farm Labor
In
New York State

Albany, New York
1963

ED002431

FOREWORD

More than 50,000 seasonal farm workers are utilized each year in New York State to harvest a variety of crops. Of these, approximately 21,000 are interstate farm workers, who come from Southern states to help harvest New York's crops. While they reside in New York, and provide a vital service to the State's agricultural industry, seven agencies, working through the Interdepartmental Committee on Farm and Food Processing Labor, assist them in a host of ways. This booklet is intended to show how State government in New York has developed a comprehensive program of aid for these people. The program is based on the credo of the worth and dignity of the individual.

New York State's Program

New York State's seasonal farm labor program started more than half a century ago. It moves forward today in the work of seven State Departments.

This is the story of what New York State is doing for the seasonal worker. It is the story of a State which annually welcomes the largest number of interstate agricultural workers on the Eastern seaboard. It is the story of a program which has led the way in caring for the seasonal farm laborer. It is the story of how a State acts.

The program reflects the State's continuing concern for all workers as expressed in its Constitution:

> *"Labor of human beings is not a commodity nor an article of commerce and shall never be so considered or construed."* (Article I, Sec. 17.)

New York is one of the major agricultural states. It is the largest producer of several fruits and vegetables for processing, and is the third largest among the states in quantity of all vegetables produced for processing.

Farm production of such magnitude requires thousands of seasonal workers to supplement individual farmers, their families, and regular employees of fruit and vegetable processing plants. For some of these workers, New York is the last stop on a yearly harvest trek that begins in Florida and moves north with the ripening of each crop. For others, it is a non-stop trip

from the South. In either case, New York is a major factor in their annual employment and income pattern.

The seasonal worker is a key figure in the State's agricultural economy and the State of New York aims to treat him well.

This is the reason why the New York State Interdepartmental Committee on Farm and Food Processing Labor came into being. The group is drawn from seven State departments: Agriculture and Markets, Education, Division of State Police, Health, Labor, Social Welfare and Motor Vehicles. The Executive Assistant to the Commissioner of Agriculture and Markets serves as Executive Secretary of the Interdepartmental Committee. As such, he coordinates the program. The combined resources of these agencies provide well tested and constantly improved services for seasonal workers in the fields of:

Health	Education
Housing	Working Conditions
Child Care	Safety

Supplementing these services is the work of the Governor's Advisory Council, representing growers, religious, civic, and other private groups. The voluntary efforts of the Council contribute much to the program's success.

State departments directly and through the Interdepartmental Committee have been active in promoting joint action on the community and area level by public and private groups. Thus, local welfare and health authorities, civic groups, and social service

agencies, pool their resources for effective work at the local level. They draw on the State government for help and in turn assist the various State agencies in attuning their efforts to local conditions.

In 1962, the Interdepartmental Committee expanded an informational program for the interstate farm workers. The program, one of an experimental nature and designed to help the workers better understand their responsibilities and rights, was implemented by the Labor Department. It was conducted by specially-trained State personnel who visited farm areas near Utica and Rochester. In their visits, the State representatives discussed with the workers and growers topics of mutual concern. The workers were told of the legislation protecting their interests and were reminded of their responsibilities while temporary residents of New York State.

The work of the State is paralleled by the intensive efforts of the major religious groups and associations. One minister on Long Island said of his work: "Our task is to awaken the individual consciences of the community to what needs to be done. We keep trying." More than this, these groups have worked to nurture religious participation among the seasonal interstate workers, provide them a link with the community, help educate them, and notify the public and State authorities of any conditions which require concentrated action.

Thus, one State-wide church organization has placed ministers or chaplains to serve more than 300 labor camps in the State. This one group has furnished a

paid staff of thirty-five and a total of fifty-two college-age youth to work with the seasonal workers. Some 900 community volunteers participate in this one large program, which involves more than twenty separate projects in dozens of communities and serves more than 22,000 seasonal workers.

In one area alone—on Long Island—ministers have operated a summer school, recruited children for a similar summer session financed by the State Education Department, conducted night classes in reading and writing, operated a day-care center for smaller children, shown instructional motion pictures, and organized recreation for the adults.

In many cases the needs of seasonal workers could only be met by new or revised laws. In this area, the Joint Legislative Committee on Migrant Labor, concerned with the welfare of seasonal workers, has given continuous and unlimited cooperation. Thus, in recent years, every session of the Legislature has resulted in up-dating laws affecting the seasonal workers and an expansion of services to them. The 1963 Legislature provided several new laws which will further improve conditions under which the interstate farm workers live and work in New York State.

Diligent administration of these laws is one real answer to the needs of the seasonal farm worker. This is being done successfully, and the details of how the program is implemented are provided in the following pages.

HEALTH AND HOUSING

Significant steps have been taken in recent years to insure healthful conditions in approximately 1,000 farm labor camps in New York State. Last year alone, more than 7,000 inspections of camp health and housing facilities were made by Health Department inspectors with the cooperation of the State Police.

The Public Health Law requires permits to operate farm labor camps which are occupied by five or more persons. Provisions for permits are outlined in the State Sanitary Code.

The code, which contains regulations concerning farm labor camps, sets up specific requirements relating

to housing, fire hazards, bathing and toilet facilities, food handling and food storage facilities, water supply and sewage disposal in camps.

Recent changes to the State Sanitary Code call for hot and cold running water for bathing facilities, and screened living quarters, as well as fire resistant construction at certain farm labor camps.

The State Health Department employs specially-trained public health educators who constantly instruct families in health matters and on the need for personal hygiene. Films and printed material on sanitation, nutrition, child care, general cleanliness, personal hygiene, fire prevention, safety, and first-aid are utilized by the health educators.

Immunizations are provided for the families of seasonal farm workers for diphtheria, tetanus, whooping cough, smallpox and poliomyelitis. Each year several thousand such preventive inoculations are administered. Serological surveys and treatments for venereal disease also are performed. Chest x-ray screening programs are conducted in certain areas. Unusual incidence or outbreaks of communicable diseases have not occurred at farm labor camps in recent years. In 1962, as an example of one of the Health Department's programs, 3,963 visits were made by public health nurses.

Child health clinics and maternity clinics are conducted for the children and expectant mothers among the seasonal workers. Pediatric clinics are held in several locations. With financial assistance under the federal Migrant Health Act, additional family health service clinics will be provided in several places where

such services previously have been unavailable. These clinics will provide for medical examination, counseling, and limited treatment on an ambulatory, outpatient basis for all age groups.

The Department of Social Welfare has responsibility of seeing that seasonal workers and their dependents receive public assistance, if in need, and to see that child care centers meet standards that protect the youngsters' health, safety, and general well-being.

Local welfare departments administer public assistance under State supervision and with full State reimbursement. Assistance covers food, clothing, household incidentals, medical care, and other necessities for the family's health and welfare.

A large part of such assistance costs are for hospital and other medical care.

CHILD CARE

The Department of Agriculture and Markets administers and supervises the Child Care Program for centers to care for children from infancy to fourteen years of age while their parents are working in the fields. The centers were operated by the New York State Federation of Growers' and Processors' Association, Inc.

In 1962, 784 children were cared for in thirteen centers, for a total of 18,200 days of care. For the past several years, through joint efforts of the Interdepartmental Committee on Farm and Food Processing Labor and the Governor's Advisory Council on Farm and Food Processing Labor, the Legislature has appropri-

ated funds to enable the State to assume 90 per cent of the operating costs for the child care centers. The additional 10 per cent is assumed by the grower or interested local groups. Parents of children cared for at the center pay fifteen cents per day per child, but in no case is a parent charged more than fifty cents per day, regardless of the number of children in the same family.

The child care centers operate under permits issued by the Department of Social Welfare.

Local church, farm, and civic groups provide valuable voluntary assistance to the centers. In addition, they aid in the distribution of information on the general program.

This aspect of the total program is essential because, like all children, the youngsters of seasonal farm workers need attention and care in infancy.

The State Labor Department plays a role in the welfare of workers' children by enforcing New York's Labor Law which prohibits the hiring of children under age fourteen on farms, except for twelve and thirteen-year-olds who may be hired, under rigid controls, for simple hand harvesting and for no more than four hours a day.

EDUCATION

Recognizing the unique situation of the children of seasonal workers, the Department of Education supervised a special census in 1962 by local schools to determine the educational needs of these children. The census showed 3,610 children between the ages of birth and 18 years, with 2,333 of them enrolled in the local schools of the State. In recent years, age grade tables received by the Department of Education show definite increases in the number of children of seasonal workers who continue in school during the upper years.

Under the supervision and the assistance of the Education Department, ten local school districts conducted summer schools for the children of seasonal workers during July and August of 1962. Four of these summer schools were coordinated with child care centers through a plan which proved advantageous to both the summer school and child care programs.

WORKING CONDITIONS

The State Labor Department handles the job placement of many seasonal workers and is authorized to supervise certain working conditions.

The supervision, prescribed by the State Labor Law, requires the registration of those responsible for bringing the workers into the State, protection of minors, posting of commissary prices, prompt wage payment, maintenance of accurate payroll records, and the furnishing of wage statements to the workers.

The State Employment Service handles the recruitment and placement of local, intrastate, interstate, and "off-shore" workers and, under certain conditions, workers from Canada and the West Indies. First consideration is given to local labor through extensive use of "day-haul" operations. Recruitment efforts are then broadened as demand increases, but only in extreme emergencies, and only after all available qualified local workers have been used, will these recruitment efforts be extended to include other workers.

The Employment Service, on behalf of growers in New York State, fills thousands of seasonal jobs. In 1962, the Employment Service filled 12,500 seasonal job openings with interstate workers. In addition 1,800 Puerto Ricans were placed in seasonal farm labor jobs.

More than 1,500 interstate workers in 1962 were directed to jobs in Southern states on their homeward movement after the harvest work in New York State.

Each April, New York State, in cooperation with other East Coast states, participates in the pre-season

recruiting of farm labor contractors in the State of Florida. This annual program actually schedules a full season's work for each interstate crew so that the farm labor contractor knows before he leaves Florida the location of each subsequent job, the crop activities in which the crew will engage, the wage rates to be paid, the housing conditions, the number of workers needed, and other pertinent information. This orderly scheduling of work for interstate seasonal workers minimizes their search for work and provides more continuous employment. Increases in farm mechanization, which results in a continuous decline in demand for seasonal

labor, make full work scheduling more difficult. But, a 1963 amendment to the Labor Law provides that any grower or processor may use the services of a registered farm labor contractor for five days or less if the grower or processor countersigns an application and submits it to the Labor Department within twenty-four hours after the start of work. This amendment provides flexibility and helps to make work scheduling easier.

All referrals and placements of seasonal agricultural workers are made subject to regulations and laws of cooperating departments and agencies; a constant effort is made to keep all workers apprised of their rights and responsibilities while temporarily residing and working within the State.

A registration certificate from the Industrial Commissioner, who heads the Department of Labor, must be obtained by each farm labor contractor and by any person who employs, recruits, transports and brings into the State, or is responsible for bringing into the State, five or more interstate farm workers.

Facts on wages, housing, working conditions, and such other information as the Commissioner may prescribe, must be supplied to him by such registrants. They also must furnish this information to each worker and post at least one copy in the camp where the workers reside during their New York stay.

Owners or lessees of farms or food processing plants cannot engage the services of an unregistered farm labor contractor. This provision prohibits utilization of farm labor contractors who have questionable backgrounds.

Since October 1, 1962 the Department has required that farm labor contractors submit their fingerprints with their application for registration. This aids the Department in identifying and barring farm labor contractors who have criminal records, and serves as additional protection for the seasonal workers.

Since 1958, the New York State Labor Department has required the operator of a commissary or store in a farm labor camp to obtain a permit from the Department and to post prices charged for merchandise, food items, or meals. The Department screens operators, allowing only those of reputable character to operate commissaries. The required posting is designed to protect workers from being charged excessive prices.

Like other employers, farm labor employers are required to pay wages in full, weekly, except that they may pay every two weeks if the payment covers all work done through payday. Wage rates for seasonal farm workers must be at least as high as those contained in the registration application.

All farm labor contractors, and growers or processors who do not use farm labor contractors but who are responsible for bringing into the State five or more interstate workers, must keep individual worker records showing wage rates, wages earned, hours worked if paid on an hourly basis, and units produced if paid on a piece work basis. For minors twelve to fourteen years old, a record of hours worked must be maintained regardless of whether they are pieceworkers. Such records must be readily available for Department inspection. In addition, each employer or farm labor contractor must furnish each farm worker, with every wage payment, a written account of his wage rate, hours worked or units produced, wages earned and all withholdings.

Thus, the Labor Department plays a key role in the whole program of protection of the interstate farm workers. And, because its role is important, Labor Department officials have initiated specialized training programs for personnel; in this way those directly responsible for the well-being of workers in New York are kept abreast of new legislation and procedures and techniques. This results in efficient enforcement and administration of the important program.

SAFETY

Seasonal farm workers whose motor vehicles are registered in another state are not required to obtain New York license plates for the period from June 1 through November 30, provided that their home state registration is valid.

They must, however, furnish proof that the vehicle is covered by liability insurance, in the amounts required by New York State, for personal injury or property damage. Upon the filing of such proof, the Commissioner of Motor Vehicles will issue, for a fee of $2, a certificate to the owner which must be affixed to a prominent place on the interior of the vehicle. Such proof must be filed within seven days of the date the vehicle owner first entered the State.

An interstate farm worker who is at least eighteen years of age and who holds a valid driver's license in his home state may obtain a New York driving permit upon application to the Department of Motor Vehicles and payment of a $2 fee, and must pass vision and road sign identification tests before being granted the permit. The permit is valid between June 1 and November 30.

In 1962, seasonal registrations for 1,121 vehicles were approved and 1,625 driving permits were issued to seasonal farm workers.

The Governor's Advisory Council on Farm and Food Processing Labor

Mark Buckman, *Chairman*	Agriculture—Fruit Grower
O'Dell Greig	National Association for the Advancement of Colored People
E. S. Foster	New York State Farm Bureau
Robert Greig	Agriculture—Fruit Grower
Mrs. Frank C. Montero	Consumers League of New York
Msgr. John J. Neylon	Roman Catholic Diocese of Buffalo
Frank Pixley	Agriculture—Bean Grower
Rev. Kenneth Roadarmel	New York State Council of Churches
E. Kenneth Taber	Agriculture—Potato Grower
Otis Finley	National Urban League
Winfield D. Tyler	New York State Canners and Freezers Association, Inc.

The Joint Legislative Committee on Migrant Labor

Assemblyman Alonzo L. Waters, *Chairman*

Senator Frank E. Van Lare, *Vice-Chairman*

Senator James L. Watson, *Secretary*

S nator Fred J. Rath

Assemblyman Guy L. Marvin

Assemblyman Harold I. Tyler

Assemblyman Harvey M. Lifset

"We haven't seen much of this kind of control and regulation that New York has. Some states, by regulation, deal with crew leaders, but very few deal with all the problems that you have concerned yourselves with through State regulation."

(U.S. Senator Harrison A. Williams, Jr., Chairman of the Senate Subcommittee On Migratory Labor at a hearing December 7, 1959, in New York City.)

STATE OF NEW YORK

Nelson A. Rockefeller, *Governor*

A Report by the New York State Interdepartmental Committee On Farm and Food Processing Labor

Cooperating Agencies:

The Joint Legislative Committee on Migrant Labor

The Governor's Advisory Council on Farm and Food Processing Labor